

# State of South Dakota

EIGHTY-SIXTH SESSION  
LEGISLATIVE ASSEMBLY, 2011

816S0525

## HOUSE BILL NO. 1226

Introduced by: Representatives Dennert, Feickert, and Sigdestad and Senator Hundstad

1 FOR AN ACT ENTITLED, An Act to impose additional real estate transfer fees on certain  
2 agricultural land and apportion the revenue to local taxing districts.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. If any agricultural land is transferred for more than two hundred percent of its  
5 taxable value and a real estate transfer fee was paid pursuant to § 43-4-21, an additional fee is  
6 hereby imposed at the rate of three percent on the dollars of value, which was used to determine  
7 the real estate transfer fee, that exceeds the taxable value of the agricultural land. The fee  
8 imposed by this section is in addition to the fee imposed by § 43-4-21 and shall be paid by the  
9 grantor.

10 Seventy-five percent of the revenue from the fee imposed by this section shall be deposited  
11 in the county general fund and shall be used for the construction and maintenance of county  
12 roads. Twenty-five percent of the revenue shall be apportioned and remitted on a monthly basis  
13 to each township pursuant to section 2 of this Act.

14 Section 2. The county auditor shall distribute to each township an amount equal to the  
15 revenue apportioned for townships pursuant to section 1 of this Act times the ratio of miles of



- 1 township roads within the township to the total miles of township roads within all townships
- 2 in the county.